

**APPENDIX A – ASSESSMENT ROLL, FY 2017-18**

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The Assessment Roll (a listing of all parcels assessed within the Atwood Ranch III Landscaping and Lighting Assessment District, and the amount of the assessments) will be filed with the Clerk of the Board and is, by reference, made part of this report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this report. These records shall govern for all details concerning the description of the lots or parcels.

**AUBURN AREA RECREATION AND PARK DISTRICT**  
**Atwood Ranch III Landscaping and Lighting Assessment District**  
**Assessment Roll 2017-18**  
**Sorted by Assessor's Parcel Number Order**

Assessment Number & Assessor					Assessment Number & Assessor				
Parcel Number	Owner Name(s)	Site Address	SFE	Assmnt	Parcel Number	Owner Name(s)	Site Address	SFE	Assmnt
051440001	KUNKEL KIMERLY A	11355 SPUR	1.00	155.10	051450026	AYERS LARRY &	11210 BOSAL	1.00	155.10
051440002	GARREN DALE C &	11345 SPUR	1.00	155.10	051450027	CONDY BEVERLY R	11206 BOSAL	1.00	155.10
051440003	GREENE MICHAEL D &	11335 SPUR	1.00	155.10	051450028	SEISA CUSTODIO &	11200 BOSAL	1.00	155.10
051440004	CRAG INC	11325 SPUR	1.00	155.10	051450029	TAYLOR DEBBIE E	11201 BOSAL	1.00	155.10
051440005	SHEPARD JEREMY ET	11315 SPUR	1.00	155.10	051450030	PLATZ LISELOTTE TR	11205 BOSAL	1.00	155.10
051440006	LEEP KENNETH &	11305 SPUR	1.00	155.10	051450031	STOLZE JANELLE ET	11209 BOSAL	1.00	155.10
051440007	MCGOURTY DANIEL	2678	1.00	155.10	051450032	SCOTT KEVIN A &	2570 VAQUERO	1.00	155.10
051440008	CROSBY DAVID E &	2684	1.00	155.10	051450033	MADSEN GERAM &	2566 VAQUERO	1.00	155.10
051440009	RAMIREZ JOSE CRUZ	2690	1.00	155.10	051450034	SMITH DEBRA A TR	2560 VAQUERO	1.00	155.10
051440010	ONEIL JAMES E TR	2696	1.00	155.10	051450035	BARNTHOUSE JUSTIN	2565 VAQUERO	1.00	155.10
051440011	JONES BRENDA L	2500 VAQUERO	1.00	155.10	051450036	PERILLOUX BRUCE E	2569 VAQUERO	1.00	155.10
051440012	WATSON JUANITA E &	2506 VAQUERO	1.00	155.10	051450037	MCDONALD MICHAEL	2575 VAQUERO	1.00	155.10
051440013	BOVE JOSHUA S &	2510 VAQUERO	1.00	155.10	051450038	NELSON DAVID R &	2579 VAQUERO	1.00	155.10
051440014	SCHULZ ZACHARY	2509 VAQUERO	1.00	155.10	051450039	DINUCCI MARIO J &	2583 VAQUERO	1.00	155.10
051440015	SEWELL VICTORIA D	2505 VAQUERO	1.00	155.10	051450040	RING KEVIN P & RING	2587 VAQUERO	1.00	155.10
051440016	JENSEN CHARLES E &	2501 VAQUERO	1.00	155.10	051450041	ROSE DAWN Y ET AL	2591 VAQUERO	1.00	155.10
051440017	RODGERS SHANE C	11320 SPUR	1.00	155.10	051450042	JOHNSON JOANI N TR	2595 VAQUERO	1.00	155.10
051440018	REDLICH MARK &	11340 SPUR	1.00	155.10	051450043	PRICE JERRITT D &	2599 VAQUERO	1.00	155.10
051440019	JONES BRENTON &	11350 SPUR	1.00	155.10	051450044	BUCKMEYER ROBERT	11245 BOSAL	1.00	155.10
051440020	BAKER ALLEN E TR	2673	1.00	155.10	051450045	FEIN MARY HELEN TR	11251 BOSAL	1.00	155.10
051440021	KELLY MARLENE M &	2667	1.00	155.10	051450046	GETZ CHRISTINE D &	11259 BOSAL	1.00	155.10
051440022	SPAIN-TRUBIA JUDY	2661	1.00	155.10	051450047	CULWELL CLARENCE	11261 BOSAL	1.00	155.10
051440023	REXJUS JAMES N JR &	2655	1.00	155.10	051450048	BRINK SCOTT	11269 BOSAL	1.00	155.10
051440024	ANDERSON DONALD	2649	1.00	155.10	051450049	GARCIA WILLIAM R TR	11271 BOSAL	1.00	155.10
051440025	BALOTE MAUREEN	2643	1.00	155.10	051450050	SINGH BHUPINDER	11279 BOSAL	1.00	155.10
051440026	SCHINDLER CRAIG R	2539 VAQUERO	1.00	155.10	051450051	KOENIG CARL	11285 BOSAL	1.00	155.10
051440027	ALBERTAZZI	2535 VAQUERO	1.00	155.10	051450052	GONZALEZ ANNER	11289 BOSAL	1.00	155.10
051440028	GREENHALGH	2531 VAQUERO	1.00	155.10	051450053	DAVISON SHAWN W	11309 BOSAL	1.00	155.10
051440029	HUCKINS CHARLES E	2525 VAQUERO	1.00	155.10	051450054	SHERMAN STEPHEN	11313 BOSAL	1.00	155.10
051440030	HIRSCH WILLIAM E &	2527 VAQUERO	1.00	155.10	051450055	FEIN MARY HELEN TR	11319 BOSAL	1.00	155.10
051440031	SKRABER GEOFFREY	2519 VAQUERO	1.00	155.10	051450056	WATSON MASON &	11323 BOSAL	1.00	155.10
051440032	SISCHO RYAN &	2515 VAQUERO	1.00	155.10	051450057	DURR BRYAN J &	11333 BOSAL	1.00	155.10
051450001	HARRIS MICHAEL &	11336 BOSAL	1.00	155.10	051460001	STILLMAN JANET M &	11029 CABALLO	1.00	155.10
051450002	MORGAN JEFFREY H	11330 BOSAL	1.00	155.10	051460002	JOHNSRUD MATTHEW	11023 CABALLO	1.00	155.10
051450003	MAY HAYDEN E	11326 BOSAL	1.00	155.10	051460003	AYERS LARRY DALE	11017 CABALLO	1.00	155.10
051450004	DILGER MATTHEW &	11322 BOSAL	1.00	155.10	051460006	TAYLOR SUSAN A	11003 CABALLO	1.00	155.10
051450005	KEMPAIN CLAYTON	11316 BOSAL	1.00	155.10	051460007	WERNTZ RICHARD S	11000 CABALLO	1.00	155.10
051450006	BRANSON JANA M &	11310 BOSAL	1.00	155.10	051460008	CEHAN E GREGORY &	11004 CABALLO	1.00	155.10
051450007	HATASHITA JASON D	11306 BOSAL	1.00	155.10	051460009	BOBZIEN TIMOTHY JR	11008 CABALLO	1.00	155.10
051450008	NEWMAN-BARRERA	11300 BOSAL	1.00	155.10	051460010	PARSON RUSSELL	11020 CABALLO	1.00	155.10
051450009	COLLOM CRAIG D &	11296 BOSAL	1.00	155.10	051460011	TABER DOUGLAS E &	11024 CABALLO	1.00	155.10
051450010	BALLARD TRACY E	11290 BOSAL	1.00	155.10	051460012	LANNING DAVID &	11028 CABALLO	1.00	155.10
051450011	KEARNS KENNETH &	11286 BOSAL	1.00	155.10	051460013	MOORE GAVIN &	11032 CABALLO	1.00	155.10
051450012	RAMIREZ CHRISTINE	11280 BOSAL	1.00	155.10	051460014	EVANS DONALD &	11100 CABALLO	1.00	155.10
051450013	HINSHAW DAVID M TR	11276 BOSAL	1.00	155.10	051460015	CLIFTON SCOTT &	2810 ORBECK	1.00	155.10
051450014	PLATT DAVID V &	11270 BOSAL	1.00	155.10	051460016	MELICK ANN	2820 ORBECK	1.00	155.10
051450015	NISSSEN FRANK J JR	11266 BOSAL	1.00	155.10	051460017	FEATHERSTON	2830 ORBECK	1.00	155.10
051450016	MITCHELL KATHLEEN	11260 BOSAL	1.00	155.10	051460018	SHELL BONNIE K ET	2825 ORBECK	1.00	155.10
051450017	SHELL JOAN D TR	11256 BOSAL	1.00	155.10	051460019	BORGES KRISTEN A	2815 ORBECK	1.00	155.10
051450018	PERILLOUX BRUCE E	11250 BOSAL	1.00	155.10	051460020	KEARNS KEN &	2805 ORBECK	1.00	155.10
051450019	BARRY SCOTT	11246 BOSAL	1.00	155.10	051460021	CHAPPELL ROWENA	11013 CABALLO	1.00	155.10
051450020	STORMENT RALPH L	11240 BOSAL	1.00	155.10	051460023	CHAPPELL CYNTHIA	11009 CABALLO	1.00	155.10
051450021	MUNKHAT TSOLMON	11236 BOSAL	1.00	155.10	051470001	YETKA NELLIE	11095 CABALLO	1.00	155.10
051450022	JOHL RAVINDER &	11230 BOSAL	1.00	155.10	051470002	SALVATION ARMY A	11091 CABALLO	1.00	155.10
051450023	MALIG JOCELYN N	11226 BOSAL	1.00	155.10	051470003	PICAMAN JERRY A &	11087 CABALLO	1.00	155.10
051450024	SAPETA GARY C TR	11220 BOSAL	1.00	155.10	051470004	ROCHA EUGENE T &	11083 CABALLO	1.00	155.10
051450025	MARSHALL LORETTA	11216 BOSAL	1.00	155.10	051470005	KNIGHT WILLIAM D &	11079 CABALLO	1.00	155.10

**AUBURN AREA RECREATION AND PARK DISTRICT  
Atwood Ranch III Landscaping and Lighting Assessment District  
Assessment Roll 2017-18  
Sorted by Assessor's Parcel Number Order**

Assessment Number & Assessor					Assessment Number & Assessor			
Parcel Number	Owner Name(s)	Site Address	SFE	Assmnt	Parcel Number	Owner Name(s)	Site Address	SFE Assmnt
051470006	MAHER ROSALIE R TR	11075 CABALLO	1 00	155 10				
051470007	TORNELL MITCHELL C	11071 CABALLO	1 00	155 10				
051470008	SMOTHERS JOSEPH E	11067 CABALLO	1 00	155 10				
051470009	KISBEY JESSICA A &	11063 CABALLO	1 00	155 10				
051470010	LONICKI SYLVESTER	11059 CABALLO	1 00	155 10				
051470011	WOLFF JONATHAN I &	11055 CABALLO	1 00	155 10				
051470012	DELPINAL ALICE TR	11051 CABALLO	1 00	155 10				
051470013	TOMBS JULIE ANN	11047 CABALLO	1 00	155 10				
051470014	SIM DARRAN D &	11043 CABALLO	1 00	155 10				
051470015	REILLY KATHLEEN M	11039 CABALLO	1 00	155 10				
051470016	MORALES MELISSA &	11035 CABALLO	1 00	155 10				
051470017	KISH JILL & KISH KAY	2755 PAINT	1 00	155 10				
051470018	ROUSSELET	2745 PAINT	1 00	155 10				
051470019	YETKA MATTHEW &	2735 PAINT	1 00	155 10				
051470020	DIQUATTRO PAUL A &	2725 PAINT	1 00	155 10				
051470021	FONTAINE RODOLPHE	2715 PAINT	1 00	155 10				
051470022	FLETCHER MARC A	2705 PAINT	1 00	155 10				
051470023	CAESAR-WALKER	2750 PAINT	1 00	155 10				
051470024	KUNKEL KIMBERLY A	2740 PAINT	1 00	155 10				
051470025	YAMZON GIL P &	2730 PAINT	1 00	155 10				
051470026	LEE CARIN	2720 PAINT	1 00	155 10				
051470027	CANNON BRANDON L	2710 PAINT	1 00	155 10				
051470028	WALKER KENNETH L	2700 PAINT	1 00	155 10				
051470029	FORSTER RAMONA S	11076 CABALLO	1 00	155 10				
051470030	BETZ JAMES D &	11070 CABALLO	1 00	155 10				
051470031	MCCAFFREY HAROLD	11066 CABALLO	1 00	155 10				
051470032	BAYNE VALERIE L	11062 CABALLO	1 00	155 10				
051470033	BUIE KARRY S ET AL	11058 CABALLO	1 00	155 10				
051470034	SIVIL TYLER &	11054 CABALLO	1 00	155 10				

SFE Assessment

TOTALS:	<u>143.0</u>	<u>22179.30</u>
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**RESOLUTION NO. 2017-04**

**A RESOLUTION OF INTENTION TO CONTINUE ASSESSMENTS  
FOR FISCAL YEAR 2017-18, PRELIMINARILY APPROVING  
ENGINEER'S REPORT, AND PROVIDING FOR NOTICE OF HEARING  
FOR THE AUBURN AREA RECREATION AND PARK DISTRICT, ATWOOD RANCH III  
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT**

WHEREAS, on January 27<sup>th</sup>, 2005, by its Resolution No. 2005-01, after receiving a weighted majority of 100% of ballots in support of the proposed assessment, this Board ordered the formation of and levied the first assessment within the Atwood Ranch III Landscaping and Lighting Assessment District of the Auburn Area Recreation and Park District (the "District") pursuant to the provisions of Article XIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

WHEREAS, the first Engineer's Report for Fiscal Year 2005-06 described how the assessment district would be established, determined the uses of the assessment funds, established the methodology by which the assessments would be applied to properties in the District, established that the assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for the San Francisco Bay Area, and stated that the assessment would continue year-to-year until terminated by the District Board of Directors; and

WHEREAS, although the methodology by which the assessments are applied to properties in the District does not change from year to year, a new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the District that year, subject to that year's assessment rate and any changes in the attributes of the properties in the District, including but not limited to use changes, parcel subdivisions, and/or parcel consolidations; and

WHEREAS, by Resolution No. 2017-01, the Board ordered the preparation of an Engineer's Report for the Atwood Ranch III Landscaping and Lighting Assessment District (the "District") for fiscal year 2017-18; and

WHEREAS, pursuant to said Resolution, the Engineer's Report was prepared by SCI Consulting Group, Engineer of Work, in accordance with 22565, *et. seq.*, of the Streets and Highways Code (the "Report") and Article XIID of the California Constitution; The Report has been made, filed with the Clerk of the Board and duly considered by the Board and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Auburn Area Recreation and Park District, (the "Board"), State of California, that it is the intention of this Board to continue and to collect assessments within the District for fiscal year 2017-18. It is proposed that Atwood Ranch III Landscaping and Lighting Assessment District undertake the following

improvements: installation, maintenance and servicing of public facilities. Installation will include but not be limited to, playground equipment, irrigation and sprinkler systems, landscaping, turf, park grounds, park facilities, landscape corridors, trails, ponds, wetlands preserve areas, fencing, piers, signage, benches, tables, and all necessary appurtenances, and labor, materials, supplies, utilities and equipment, as applicable, for property owned or maintained by the Auburn Area Recreation and Park District. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti, and monitoring of wetlands preserve areas. Servicing means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.

BE IT FURTHER RESOLVED that the assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 5%, or 2) the change in the CPI plus any Unused CPI as described above.

BE IT FURTHER RESOLVED that property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the CPI adjustment schedule. Therefore, the assessment may be continued annually and may be adjusted by up to the maximum annual CPI adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

BE IT FURTHER RESOLVED that based on the preceding annual adjustments, the maximum possible assessment rate for Fiscal Year 2016-17 was \$193.80 per single family equivalent benefit unit. The annual change in the CPI from December 2015 to December 2016 was 3.53%. Therefore, the maximum authorized assessment rate for Fiscal Year 2017-18 has been increased by 3.53%, from \$193.80 to \$200.64 per single family equivalent benefit unit. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2017-18 at the rate of \$155.10 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate and is the same rate as that levied in the previous fiscal year.

BE IT FURTHER RESOLVED, by the Governing Board of the Auburn Area Recreation and Park District that a Public Hearing shall be held on June 29<sup>th</sup>, 2017 at 6:00 p.m. at Board Room of the District Office, 471 Maidu Drive, Auburn, CA to consider the ordering of the improvements and the continuation of the proposed assessments. Prior to the conclusion of the hearing, any interested person may file a written protest with the Board, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A

protest by a property owner shall contain a description sufficient to identify the property owned by such owner. Such protest or withdrawal of protest should be mailed to Auburn Recreation and Park District, 471 Maidu Drive, Auburn, CA 95603-5723. Notice of the hearing is to be given by publishing a notice once, at least ten (10) days prior to the date of the hearing above specified, in a newspaper circulated in the Auburn Area Recreation and Park District.

DULY AND REGULARLY ADOPTED by the Governing Board of the Auburn Area Recreation and Park District this 25<sup>th</sup> day of May, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Kahl Muscott  
District Administrator

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Mike Lynch  
Chair, Board of Directors

## **Item 8.1 Cover sheet – Resolution #2017 – 06 Future of ASRA and Opposition to the Auburn Dam**

**Auburn Area Recreation and Park District Policy Committee May, 2017; Board of Directors meeting May, 2017**

### **The Issue**

Shall the Auburn Area Recreation and Park District (ARD) approve and adopt Resolution #2017-06, addressing the future of the Auburn State Recreation Area (ASRA) and opposing the Auburn Dam? Director Ferris requested that resolution be considered.

### **Background**

The following is a BRIEF history of the Auburn Dam. Much more detailed information can be found from multiple sources online.

#### **History of the Auburn Dam**

<https://are.berkeley.edu/~pberck/winnie/AuburnDam/>

In 1964, Congress authorized the Auburn Folsom-South Unit due to the threat of increased flooding, which was estimated to be completed in 8 years at the time. The main feature was the multi-purpose Auburn Reservoir, which provides water supply, power, recreation, fishery enhancement, and additional flood protection.

In 1975, work on the foundation of a 685-foot-high double curvature concrete arch dam was under way, but an earthquake in Oroville cast doubt on the seismic stability and suspended construction.

In 1980, a concrete gravity dam was proposed by the Secretary of the Interior. It would be curved to match the previously prepared foundation of the original arch dam.

In 1985, Bechtel proposed a concrete gravity dam with straight axis because savings in concrete would offset added costs of foundation preparation in USBR's curved gravity dam.

February 1986, major flood caused record releases from Folsom Dam. If the storm lasted longer, a major levee failure could have occurred.

March 1987, the Corps report reveals that the Folsom Reservoir provides a lower level of flood protection than previously believed, subjecting major metropolitan areas and people to a significant risk from flooding caused by levee failures in a 200-year flood. The required amount of storage could only be obtained only via an Auburn Reservoir.

July 1987, USBR reported an appraisal of a number of alternative sizes of Auburn Reservoir, ranging from a 315,000 acre-foot single purpose flood control reservoir to the original 2,300,000 acre-foot multi-purpose proposal, cost ranging from \$240 million to \$1.1 billion. It presented a wide variety of cost allocation alternatives, but no recommendations were made.<sup>1</sup>



Aftermath: The Auburn Dam was never built and was halted due to extensive seismic and geologic studies. It became economically infeasible and could not be financed by the State. Current studies show that it would cost over \$6 billion to build the Auburn Dam. It is more practical to make modifications to the existing Folsom dam and make levee repairs to minimize the threat of flood damage.<sup>2</sup>

1. Auburn Dam Report: Reconnaissance appraisal of construction under state sponsorship. Department of Water Resources. December 1987. pg 1-3.
2. <http://www.auburndamwatch.org/>

At April 27, 2017 ARD Board meeting, representatives from Protect American River Canyons (PARC) asked the ARD Board to consider a resolution about the future of the Auburn State Recreation Area and opposing the Auburn Dam, similar to the resolution approved by the Auburn City Council on April 10, 2017. Director Ferris requested that this item be considered by the ARD Board.

### **Recommendation for the Board of Directors**

The Policy Committee had a split recommendation. Director Lynch recommends approval of the resolution. Director Holbrook does not recommend approval of the resolution.

Staff notes that ARD is currently in year 17 of a 25 year Management Agreement with USBR. This agreement states, in part, the following:

#### **Agreement**

The United States hereby grants the District the non-exclusive right to construct and/or install, develop, manage, maintain and operate public recreation facilities on the real property described above as show on the attached maps marked Exhibit "A" and "B" incorporated herein by reference, subject to the following terms and conditions. Other lands and/or facilities may be added or deleted in the future by amending this agreement with appropriate information and maps as needed.

#### **Terms of Agreement**

1. The term of this Agreement shall begin upon execution of this document by the United States, and shall continue for a period of 24 years, unless sooner terminated. The Agreement may be extended by mutual agreement of the parties to this Agreement if, at least one year prior to the expiration of the Agreement, the District advises the United States, in writing, that it desires to extend the term of this Agreement for up to an additional 25 years, but in no event beyond 50 years from the effective date of this Agreement. (*Note: Agreement date is February 3, 2000*)

#### **Fiscal Impact**

Unknown at this time.

#### **Attachments**

Resolution #2017-06

**RESOLUTION #2017-06**

**A RESOLUTION BY THE AUBURN AREA RECREATION AND PARK DISTRICT  
BOARD OF DIRECTORS**

**REGARDING: FUTURE OF AUBURN STATE RECREATION AREA**

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**Whereas:** The lands comprising the Auburn State Recreation Area (ASRA), with their steep forested canyons, scenic beauty, and diverse recreational opportunities, are a unique and irreplaceable asset to the citizens of the Auburn area and Placer County, California; and

**Whereas:** ASRA provides residents of the Auburn area and the greater Sacramento region with convenient, close-to-home access to beautiful semi-wilderness river canyons; and

**Whereas:** ASRA is an enormously popular recreation destination that attracts over one million visitors annually; and

**Whereas:** On April 14, 2003, the Auburn City Council unanimously approved Resolution 03-34 proclaiming Auburn, California as the “Endurance Capital of the World” to recognize and honor the origination in Auburn of two world famous endurance sports events – in 1955 the 100 mile Western States Trail Ride (aka “Tevis Cup Ride”) and in 1974 the Western States 100-Mile Endurance Run; and

**Whereas:** On April 10, 2017, the Auburn City Council unanimously approved Resolution 17-30 proclaiming its opposition to construction of an Auburn dam, and further proclaims its support for preserving ASRA as a river canyon-based recreation area for present and future generations to enjoy; and

**Whereas:** The ASRA canyon lands have a rich human history and include hundreds of Gold Rush and Native American cultural sites, many of which are eligible for inclusion on the National Register of Historic Places; and

**Whereas:** The Auburn Area Recreation and Park District values its direct proximity to ASRA and the substantial scenic and recreational benefits it provides to its residents; and

**Whereas:** A potential Auburn Dam threatens to destroy the recreational and scenic benefits that ASRA currently provides; now

**Be it hereby resolved:** The Board of Directors of the Auburn Area Recreation and Park District proclaims its support for preserving the Auburn State Recreation Area as a river-based recreation area for present and future generations to enjoy, and further proclaims its opposition to construction of an Auburn dam.

**APPROVED, PASSED, AND ADOPTED ON \_\_\_\_\_ 2017 by the following roll call vote:**

**Ayes:**

**Noes:**

**Absent:**

**Abstain:**

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**Michael G. Lynch**  
**Chairman of the Governing Board**

**ATTEST:**

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**Clerk to the Governing Board**

**Item 8.2 Cover Sheet – Resolution for the Transfer of Funds from the General Fund to Various Reserve Accounts**

Auburn Area Recreation and Park District Finance and Board meeting May, 2017

**The Issue:** Shall the Auburn Area Recreation and Park District (ARD) approve Resolution #2017-05, authorizing the transfer of \$417,000 ARD General Fund monies to various reserve accounts?

**Background:** District Policies require various reserves to be funded on an annual basis as follows:

1. Equipment Reserve: \$50,000 annually
2. ADA Reserve: \$5,000 annually
3. Future Capital Construction Reserve: Funding as available.

In June of Fiscal Year 2016/2017, the Board approved special funding of \$112,000 to be transferred to the Equipment Reserve. Through an oversight, staff did not make the transfer in June and will do so via the attached Board Resolution and include the annual required transfer as well.

The 2016/2017 fiscal year end surplus is approximately \$400,000; less required reserve funding of \$55,000 for the Equipment Reserve (\$50,000) and ADA Reserve (\$5000), and \$112,000 for the special funding for the equipment reserve, leaving a surplus balance of approximately \$233,000. Staff recommends that \$250,000 of this surplus be transferred to the Future Capital Construction Reserve. The remaining negative \$17,000 shall be taken from the current general fund.

Total transfers being proposed as part of Resolution 2017-05:

Equipment Reserve (approved 6/2016):	\$112,000
Equipment Reserve (per policy):	\$50,000
ADA Reserve (per policy):	\$5,000
Future Capital Construct. (recommended)	<u>\$250,000</u>
<b>TOTAL</b>	<b>\$417,000</b>

**Recommendation:** The Finance Committee forwarded this item to the board with a positive recommendation to approve Resolution #2017-05 to fund reserves..

**Fiscal Impact:** While the transfer of the general fund surplus to these reserves will reduce it to less than zero, there is no direct impact since these funds are available to the District to use at any time with Board approval.

**Attachment:** Resolution 2017-05

Resolution No. 2017-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AUBURN AREA RECREATION AND PARK DISTRICT FOR THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE VARIOUS RESERVES

WHEREAS, the Auburn Area Recreation and Park District Board of Directors does hereby resolve:

1. That the Auburn Area Recreation and Park District shall transfer \$112,000 from the General Fund to the Equipment Reserve per the June, 2016 Board of Directors approval of the Obsolescence List.
2. That the Auburn Area Recreation and Park District shall transfer \$50,000 from the General Fund to the Equipment Reserve as per policy below.
3. That the Auburn Area Recreation and Park District shall transfer \$5000 from the General Fund to the ADA Reserve as per policy below.
4. That the Auburn Area Recreation and Park District shall transfer \$250,000 from the General Fund to the Future Capital Construction Reserve as per policy below.

From District Policies:

E. **ARD Restricted Reserve Funds.** In accordance with Public Resource Code, Section 5788.9, the Board of Directors of the Auburn Area Recreation & Park District establishes the following funds:

1. **Contingency:** Contributions to this fund may occur at any time but will be maintained at \$450,000. Any monies from this fund that are spent for Board approved expenditures shall be replenished prior to any other reserve being funded.

2. **Equipment:** Contributions to this fund may occur at any time but an amount of \$50,000\* will be added to the fund at the beginning of each new fiscal year. This fund can only be spent at the Board's discretion. These funds are to be used for additions to the current District inventory or to replace equipment that has expended its useful life and/or has broken down and is beyond economical repair and must be replaced.

\* The \$50,000 amount is a figure based on staff's projections to accumulate sufficient funds to pay for the District's requirements through Fiscal Year 2017. As such this amount is changeable based on the Board's desires.

3. **Capital Construction:** Contributions to this fund may occur at any time but will be included in the budget each fiscal year on an "as available" basis. This yearly amount, if any, is part of the expenditure budget and can only be spent at the Board's discretion.

**4. ADA Compliance: Contributions to this fund may occur at any time but will be included in the budget each fiscal year at a minimum amount of \$5,000 per year. The money in this reserve account will be used to fund costs and improvements related to the Americans with Disabilities Act at parks and facilities in the District.**

**The Board shall establish a policy of contributing 1-5% of the annual expenditure figure to reserves. During each budget cycle, Staff will provide recommendations to the Board for these contributions as appropriate based on the plans and goals of the District.**

**5. Unfunded CalPERS Pension Reserve Funding GASB 68: Contributions to this fund may occur at any time but will be included in the budget each fiscal year at an amount that represents at least 10% of the known unfunded liability per the current GASB68 report and shall be funded at a minimum of 50% of the entire known liability.**

APPROVED, PASSED, AD ADOPTED ON May 25, 2017 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

\_\_\_\_\_  
Michael Lynch  
Chairman of the Governing Board

ATTEST:

\_\_\_\_\_  
Patricia Larson  
Clerk to the Governing Board  
Auburn Area Recreation and Park District

## **Item 8.3 Cover sheet – Resolution #2017-07: Contract Approval for Railhead “A” Field Renovation**

**Auburn Area Recreation and Park District Acquisition and Development Committee April, 2017; Board of Directors Meeting April, 2017; Board of Directors meeting May, 2017**

### **The Issue**

Shall the Auburn Recreation District Board of Directors authorize and approve Resolution #2017-07, a resolution approving a contract with McGuire Pacific Constructors for \$47,735 and authorize up to another \$23,100 for possible add-alternate work for the renovation of the Railhead Park “A” field?

### **Background**

The ARD Board of Directors approved the Railhead “A” field renovation project as part of the 2017/2018 Project List. The project was designed using similar specifications as were used for the successful renovation of the Railhead “B” field in 2016. The basic specifications are as follows:

- Tilling in, amending and general leveling of old turf (to be sprayed ahead of time by ARD)
- Laying down (sprigging) Bermuda grass stolons

ARD went to public bid on the project, with a bid opening on 4/13/17. One bid was received from McGuire Pacific Constructors for a base total of \$65,060. An add-alternate for maintenance of the field was included for \$33,000. The ARD Board rejected this bid and went back to public bid with a modified scope of work, including reducing the depth of the tilling and making the rock-raking an add alternate.

Two bids were received for the second round of bidding. McGuire Pacific Constructors was again lowest, this time with a base bid of 47,735 and add-alternates of \$23,100 for rock-raking and \$33,000 for maintenance.

### **Recommendation for the Board of Directors**

Staff recommends that the Board of Directors authorize and approve Resolution #2017-07 for the base bid contract with McGuire Pacific Constructors for \$47,735 plus an additional, ARD controlled contingency of 5% of \$2,386.75. This resolution also authorizes staff to spend up to \$23,100 for the rock-raking add alternate.

The determination on if the rock-raking is needed cannot be made until the tilling is started. At that point, staff will need make a decision after review of the circumstances. Staff is recommending approval of the rock-raking add alternate at this time as having to come back to the Board (at a Special Meeting) will slow down the project by a minimum of 3 days as Special Meetings require 72 hour notice.

Staff does not recommend approving the 120 day maintenance & grow-in period add-alternate.

**Fiscal Impact**

Fiscal impact of the approval of the contract with McGuire Pacific Constructors is \$47,735 plus a 5% District controlled contingency of \$2,386.75. Should the rock-raking work be needed, the extra cost could be up to \$23,100.

The budget for this project is \$60,000 on 2017/2018 Project List.

**Attachments**

Resolution #2017-07

Bid Summary

Proposal from McGuire Pacific Constructors



RESOLUTION NUMBER 2017- 07

A RESOLUTION OF THE GOVERNING BOARD OF DIRECTORS OF THE  
AUBURN AREA RECREATION AND PARK DISTRICT AWARDING A  
CONTRACT FOR THE RAILHEAD PARK FIELD "A" RENOVATION

WHEREAS, the Auburn Area Recreation & Park District Board of Directors does hereby resolve the following:

That the Auburn Area Recreation & Park District awards the Railhead Park Field "A" renovation project to McGuire Pacific Constructors based on the lowest base bid sum of \$47,735. The District Administrator is authorized to enter into a contract for the Railhead Park Field "A" renovation project with McGuire Pacific Constructors for the base bid of \$47,735 and approves a District controlled contingency of 5% or \$2,386.75 for a total of \$50,121.75.

Furthermore, the Auburn Area Recreation & Park District Board of Directors authorizes the District Administrator to spend up to \$23,100 for the rock-raking add-alternate bid. Determination of the need, scope and size of the rock-raking will be determined by staff during the tilling of the Railhead "A" field.

APPROVED, PASSED, AND ADOPTED ON May 25, 2017 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

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Michael Lynch  
Chairman of the Governing Board

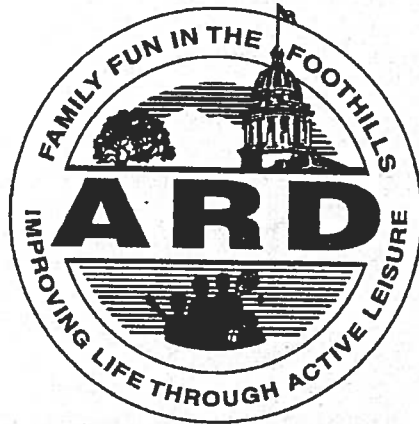
ATTEST:

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Patricia Larson  
Clerk to the Governing Board

PROJECT TITLE: RAILHEAD PARK FIELD "A" TURF RENOVATION-REBID  
 BID OPENING DATE/TIME: MAY 18, 2017, 3:00 PM  
 LOCATION: ARD DISTRICT OFFICE BOARD ROOM, 471 MAIDU DR. AUBURN CA 95603

BIDDER:	Mc Guire Pacific Constructors	Domingus Landscape Sucs.				
BID BOND?:	yes	Yes				
BID BOND AMOUNT:	10%	10%				
RECEIVED ADDENDA?:	N/A	N/A				
BASE BID:	\$47,735.	\$130,457.				
ALT. #1	<del>204</del> sq. foot	\$0.059 SP FT <del>148,870.50</del>				
ALT #2:	\$33,000	\$11,599.00				
Total	\$80,735	<del>148,870.50</del> 148,870.50				
BID SIGNED?:	Yes	Yes				



# AUBURN AREA RECREATION AND PARK DISTRICT

## CONTRACT DOCUMENTS FOR RAILHEAD PARK FIELD "A" TURF RENOVATION PROJECT

**BID OPENING: Thursday May 18th at 3:00 PM**

*Bid Documents include this specification booklet, Drawing L-1 plus any applicable addenda that may be issued.*

Board Members:

Mike Lynch  
Scott Holbrook  
Gordon Ainsleigh  
Jim Ferris  
Jim Gray

Auburn Area Recreation and Park District Administrator: Kahl Muscott

**AUBURN AREA RECREATION AND PARK DISTRICT  
STATE OF CALIFORNIA**

**PROPOSAL**

For the construction of the

**RAILHEAD PARK FIELD "A" TURF RENOVATION PROJECT**

To the Auburn Area Recreation and Park District:

The undersigned declares that they have examined the locations of the proposed work, that they have examined the specifications, and all the contract documents, and hereby proposes to furnish all materials, labor, equipment, and perform all the work in strict accordance with said specifications, and contract documents in consideration of the attached Bid Schedule.

The undersigned further agrees that, upon written acceptance of this bid, they will within **Fifteen (15) Calendar** days of receipt of such notice execute a formal contract agreement with the District, with necessary bonds and certificate and standard form endorsement of insurance. They also agree that, in the case of default in executing the contract, the proceeds of the check or bond accompanying his bid shall become the property of the District. The Contractor acknowledges this is a prevailing wage job subject to California Labor Code 1770 – 1780.

The undersigned agrees that, if awarded the contract, they will commence the work upon written Notice to Proceed and shall diligently prosecute the same to completion before the expiration of **15 Working Days** from the date of said written notice to proceed.

Bids shall be submitted for the entire work.

**The Auburn Park and Recreation District will award the contract, if at all, to the lowest responsible bidder with the lowest Grand Total as shown on the Bid Schedule.**

The bidder shall set forth a total for each item, and for each lump sum work a total for the item, all in clearly legible Arabic figures on the attached Bid Schedule in the respective spaces provided for this purpose.

The award of the contract, if it is awarded, will be to the lowest responsible responsive bidder whose bid complies with the requirements set forth herein. The determination of the lowest bid will be evaluated based upon each bidder's Grand Total amount, which is the total sum of the project.

Quantities, if shown on the Bid Schedule are approximate only, being given as a basis for the comparison of bids, and the District does not expressly or by implication agree that the actual amounts of work will correspond therewith and reserves the right to increase or decrease the

amount of any portion of the work or to omit portions of the work as may be deemed necessary or advisable. Additions to or subtractions from any quantities shown in the Bid Schedule will be compensated for in the manner specified relating to changes in the work.

Bidder acknowledges receipt of the following addenda:

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5-18-17  
Date

M<sup>c</sup> Guire - Pacific Constructors  
Name of Firm

Contractor's License:

P.O. Box 4072 Auburn CA 95604  
Business Address

a. Class: A-B-HAZ

b. Number: 587099

c. Expiration Date: 1-31-18

(530)-888-0527

Phone Number

John M<sup>c</sup>Guire  
Signature of Responsible Official

## RAILHEAD PARK FIELD "A" TURF RENOVATION PROJECT

### BID SCHEDULE

No.	Item of Work	Quantity	Unit	Unit Price	Item Total
1.	PROVIDE AND INSTALL TEMPORARY CONSTRUCTION FENCING AS SHOWN/DESCRIBED ON DRAWING L-1.	1000	LF	5. <sup>00</sup>	5000. <sup>00</sup>
2.	PERFORMING TURF FIELD RENOVATION AND STOLON PLANTING/SPRIGGING WORK AS SHOWN/DESCRIBED ON DRAWING L-1 AND SPECIFICATIONS.	115,500	SF	.37¢	42,735. <sup>00</sup>
				BASE BID TOTAL:	47,735
1.	ADD ALTERNATE#1: SHOULD ROCK LAYER BE ENCOUNTERED WHILE TILLING AT THE MINIMUM THREE INCH (3") DEPTH, PROVIDE PRICE PER SQUARE FOOT TO USE ROCK RAKE TO REMOVE ROCKS AND STOCKPILE ON SITE WHERE SHOWN ON SHEET L-1.	TBD	SF	.20¢	.20¢
2.	ADD ALTERNATE#2: GROW-IN AND MAINTAIN NEW BERMUDA TURF FIELD AS SHOWN/DESCRIBED ON DRAWING L-1 FOR 120 CALENDAR DAYS.	1	Lump Sum	33,000. <sup>00</sup>	33000. <sup>00</sup>
				GRAND TOTAL (BASE BID + ALTS):	80,735. <sup>00</sup>

Quantities, if shown on the Bid Schedule are approximate only, being given as a basis for the comparison of bids, and the District does not expressly or by implication agree that the actual amounts of work will correspond therewith and reserves the right to increase or decrease the amount of any portion of the work or to omit portions of the work as may be deemed necessary or advisable. Additions to or subtractions from any quantities shown in the Bid Schedule will be compensated for in the manner specified relating to changes in the work.

AUBURN AREA RECREATION AND PARK DISTRICT  
STATE OF CALIFORNIA

DESIGNATION OF SUBCONTRACTORS

The following list of subcontractors is submitted with the proposal and made a part thereof.

If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the contract, they shall be deemed to have agreed to perform such portion of work themselves and shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the work for which no subcontractor was designated in the original bids shall only be permitted in cases of public emergency or necessity, and then only after receiving written approval from the District.

The name and location of the shop or office of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the project and that portion of the work to be performed by the subcontractor is as follows:

1. NAME: Delta Bluegrass  
ADDRESS: Po Box 307 Stockton CA 95201  
CONTRACT ITEMS: 2 AMOUNT: \$ 20,000.00
2. NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTRACT ITEMS: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_
3. NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTRACT ITEMS: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_
4. NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTRACT ITEMS: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_
5. NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTRACT ITEMS: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

AUBURN AREA RECREATION AND PARK DISTRICT  
STATE OF CALIFORNIA

**NONCOLLUSION AFFIDAVIT TO ACCOMPANY PROPOSAL**

John Mc Guire, being first duly sworn, deposes and says that he or she is owner of Mc Guire - Pacific Constructors, the party making the foregoing bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

5-18-17  
(Date)

John Mc Guire  
(Signature)

Mc Guire - Pacific Constructors  
Name of Firm

PO Box 4072

Auburn CA 95604  
Business Address

Contractor's License:

a. Class: A - 13 - 1/12

(530) 888-0527

b. Number: 587099

Phone Number

c. Expiration Date: 1-31-18

John Mc Guire  
Signature of Responsible Official

AUBURN AREA RECREATION AND PARK DISTRICT



**AUBURN AREA RECREATION AND PARK DISTRICT  
STATE OF CALIFORNIA**

**BIDDER'S BOND TO ACCOMPANY PROPOSAL**

KNOW ALL MEN BY THESE PRESENTS,

That we, John McGuire, DBA McGuire Pacific Constructors, as  
Principal, and Western Surety Company, a corporation authorized to  
transact a general surety business in the State of California, as Surety, are held and firmly bound  
unto AUBURN AREA RECREATION AND PARK DISTRICT (hereinafter called the Obligee)  
in the full and just sum of  
Ten Percent of Amount Bid dollars, (\$ 10%) for  
the payment whereof in lawful money of the United States, we bind ourselves, our heirs,  
administrators, executors, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said PRINCIPAL has submitted the accompanying bid for:

Railhead Park Field "A" Turf Renovation Project

NOW, THEREFORE, if the said contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the contract in writing, and give bond, with surety acceptable to the Obligee for the faithful performance of the said contract, then this obligation shall be void; otherwise to remain in full force and effect.

Signed and Sealed this 10th day of May 2017.

Date Month Year

John McGuire,  
DBA McGuire Pacific Constructors

Western Surety Company





John McGuire Principal

Attorney-in-Fact Shauna Conroy

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Scott Harris, Shauna Conroy, Individually**

of Roseville, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 17th day of June, 2015.



WESTERN SURETY COMPANY

*Paul T. Bruflat*

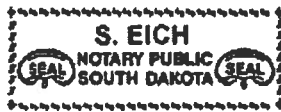
Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 17th day of June, 2015, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

February 12, 2021



*S. Eich*

S. Eich, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 10th day of May, 2017.



WESTERN SURETY COMPANY

*L. Nelson*

L. Nelson, Assistant Secretary

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Placer )

On May 10, 2017 before me, Seth Conroy, Notary Public  
(insert name and title of the officer)

personally appeared Shauna Conroy,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



## **Item 8.4 Cover sheet – Letter to Auburn City Council and the Placer County Transportation Planning Agency Re: Opposition to the Auburn Municipal Airport Runway Expansion**

**Auburn Area Recreation and Park District Policy Committee May, 2017; Board of Directors meeting May, 2017**

### **The Issue**

Shall the Auburn Area Recreation and Park District (ARD) send a letter to the Auburn City Council and to the Placer County Transportation and Planning Agency stating our concerns and opposition regarding the proposed runway expansion at the Auburn Municipal Airport?

### **Background**

The Auburn Municipal Airport lies approximately 4,000 feet to the east of Regional Park. The Placer County Transportation and Planning Agency (PCTPA), designated as the Airport Land Use Commission (ALUC) for Placer County, has established a set of Compatibility Policies and Maps for the land use surrounding the Auburn Airport. These maps and policies are attached.

These permitted land uses have varying degrees of effect on development at Regional Park, shown as mainly being in the “C1” zone. Most of ARD’s current uses or planned uses fall in to the “Conditional Use” category, while a few, such as development of a permanent stage for events such as Party in the Park, are “Incompatible”.

An expansion of the runway could push parts, or all, of Regional Park into the “B1” zone, resulting in more uses being considered “Incompatible”.

In 2015, the Auburn City Council contracted with consultants to create an Airport Layout Plan with Narrative Report (ALP/NR). The ALP/NR is intended to be a proactive document which identifies and plans for future facility needs well in advance of the actual need for the facilities. A copy of the DRAFT ALP/NR can be found at [http://auburn.granicus.com/DocumentViewer.php?file=auburn\\_117a8b95def71be9616e69d66bf8adca.pdf&view=1](http://auburn.granicus.com/DocumentViewer.php?file=auburn_117a8b95def71be9616e69d66bf8adca.pdf&view=1)

Part of the ALP/NR, currently in the “Working Paper #3” stage, calls for an expansion of the Auburn Airport runway. The most likely scenario is that the runway will be extended 300’ to the west and 211’ to the east. How this expansion would affect Regional Park will not be determined until the proposal is reviewed by the PCTPA. This review would begin after the ALP/NR is approved by the Auburn City Council, and will require public outreach and a CEQA review.

### **Recommendation for the Board of Directors**

The Policy Committee reviewed the letter and recommends that the Board of Directors approve sending it the City of Auburn and the PCTPA, stating our concerns and opposition regarding the proposed runway expansion at the Auburn Municipal Airport

Staff recommends sending the letter to the Auburn City Council and the PCTPA stating our concerns and opposition regarding the proposed runway expansion at the Auburn Municipal Airport

**Fiscal Impact**

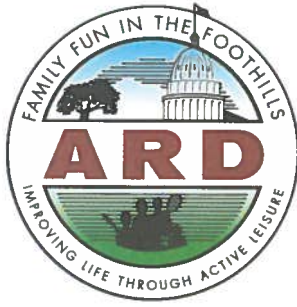
Unknown at this time

**Attachments**

Proposed Letter to the Auburn City Council and the Placer County Transportation Planning Agency

Area map

Auburn Municipal Airport Compatibility Policies and Maps



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## AUBURN AREA RECREATION AND PARK DISTRICT

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May 25, 2017

Auburn City Council  
1225 Lincoln Way  
Auburn, CA 95603  
Attn: Mayor Spokely

Placer County Transportation Planning Agency  
299 Nevada St.  
Auburn, CA 95603  
Attn: Celia McAdam

Dear Ms. McAdam and Mayor Spokely,

The Auburn Area Recreation and Park District (ARD) is requesting that both the City of Auburn and the Placer County Transportation Planning Agency review and consider impacts to Regional Park from a runway extension at the Auburn Municipal Airport. We believe that these impacts could have significant effects on the recreational opportunities available at Regional Park now and in the future.

Regional Park is a 62 acre jewel, providing recreation and leisure to tens of thousands of users annually. Regional Park provides a wide variety of amenities for park users, and has something for everyone ages 1 – 100. Adjacent to the developed section of Regional Park is an undeveloped parcel of land commonly referred to as the “24 Acres”. ARD has worked with the community to come up with a conceptual design for future improvements that include new walking pathways, bocce courts, dog park, playground and picnic areas. ARD is currently seeking funding to move forward with the proposed development of the “24 Acres”.

ARD has previously encountered issues with improvements to Regional Park in regards to the Auburn Municipal Airport Compatibility Policies and Maps, most recently in our desire to construct a permanent stage for the festivals and events held at the park. While we understand that the review of impacts to these policies resulting from a runway extension has not started, we have concerns that any runway extension will result in further restrictions to what can and cannot be constructed at Regional Park. This could result in the loss of enjoyment, relaxation and physical improvement of many thousands of park users.

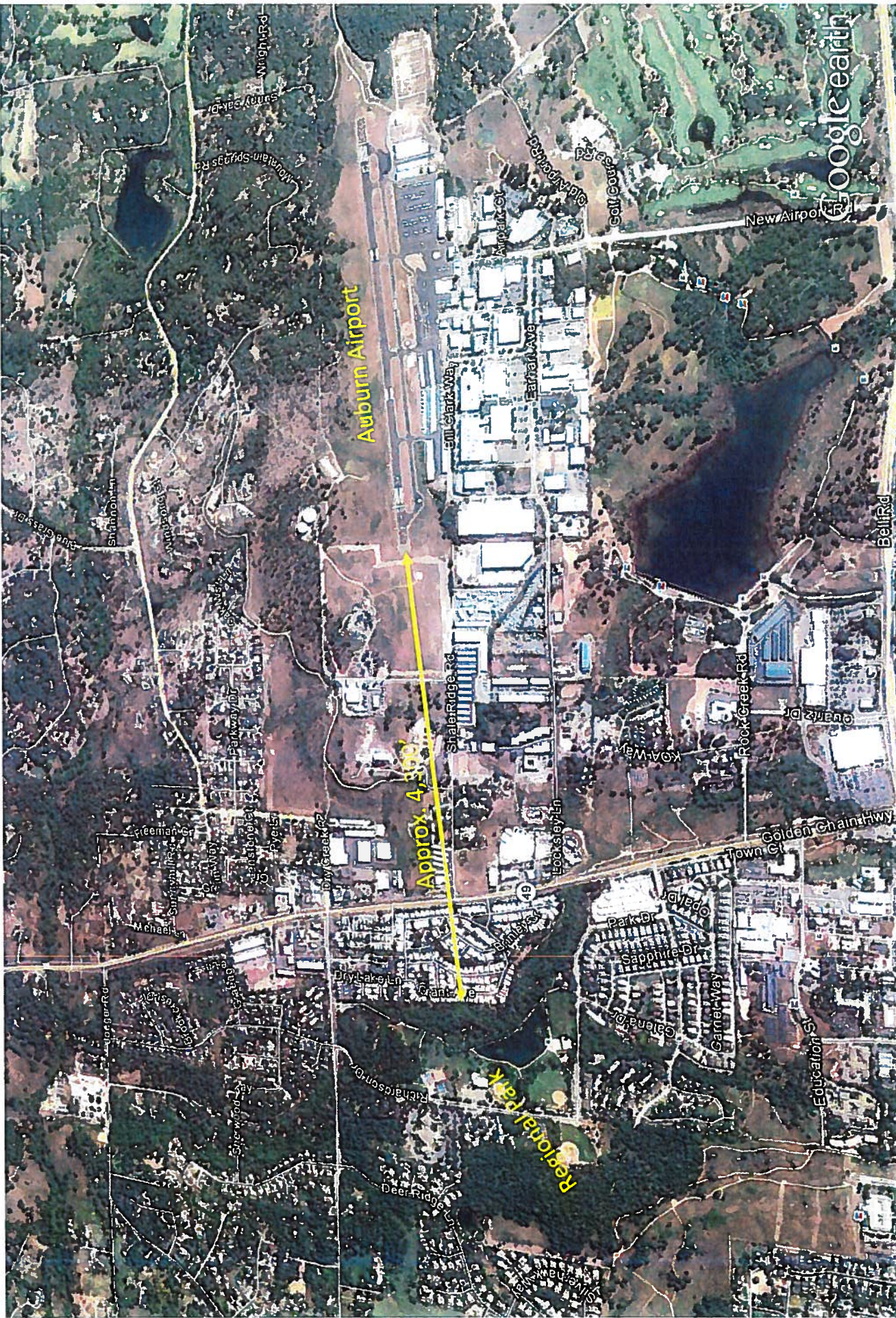
For these reasons, ARD opposes the extension of the runway at the Auburn Municipal Airport. We are also requesting that ARD be notified before any decision is made regarding the Auburn Municipal

Airport runway extension and resulting changes to surrounding land use, and ask to be part of the decision making process.

Thank you for your considerations.

Mike Lynch, Chairman  
Auburn Area Recreation and Park District Board of Directors





Auburn Airport

Approx. 4,300

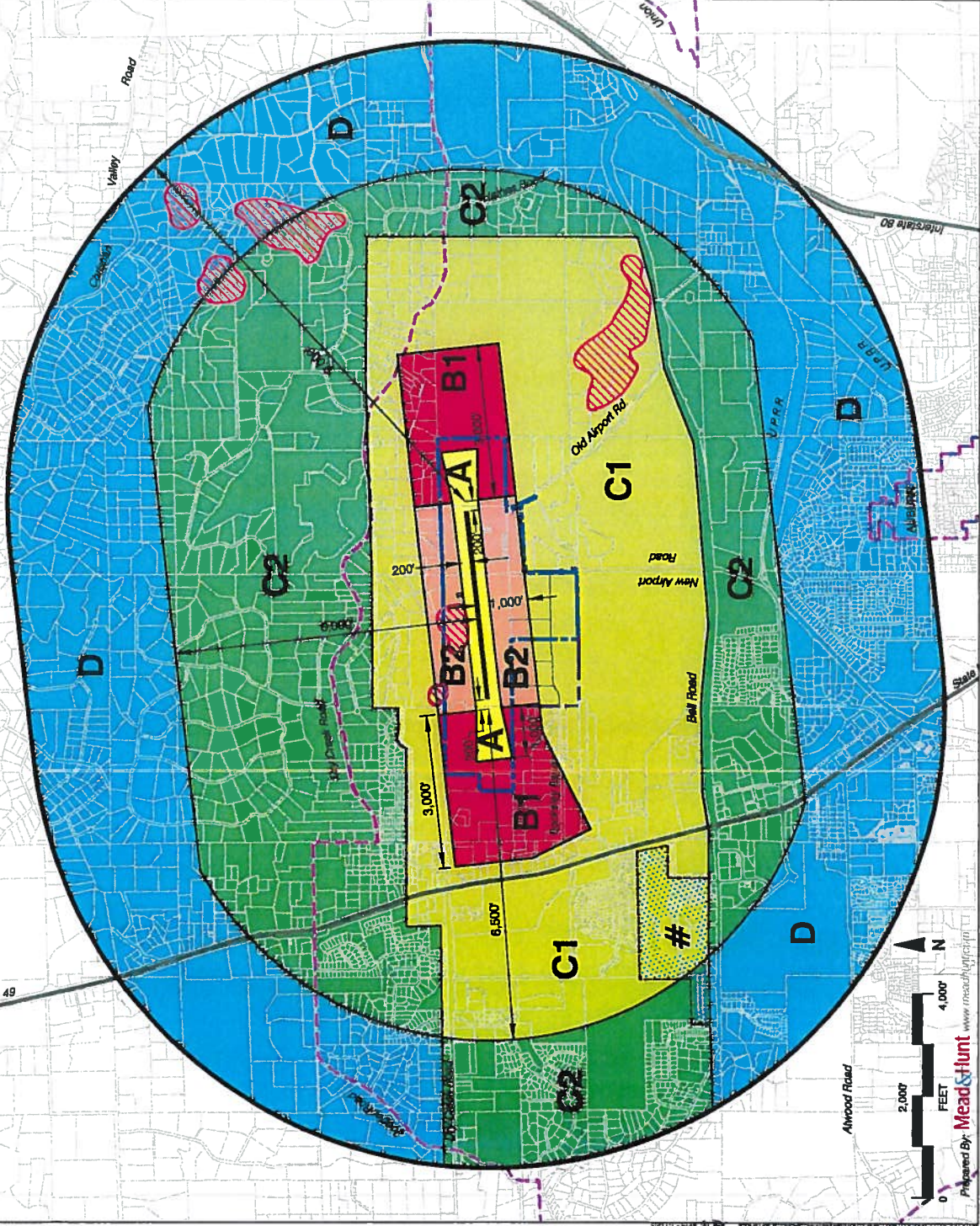
Regional Park

Google earth



## Auburn Municipal Airport Compatibility Policies and Maps

\* Note: Sections of this document have been removed for brevity. a full copy can be made available upon request.



- Legend**
- Boundary Lines**
- Placer County Limits (outside map view)
  - Auburn City Limits
  - Auburn Sphere of Influence
  - Airport Property Line
  - Existing Runway 7-25 (3,700 ft.)
- Compatibility Zones (Adopted 2014)**<sup>1</sup>
- Airport Influence Area
  - Zone A
  - Zone B1
  - Zone B2
  - Zone C1
  - Zone C2
  - Zone D
  - Height Review Overlay Zone<sup>2</sup>
  - See Special Conditions Policy 4.2.3.

**Notes:**

1. This ALUCP utilizes composite compatibility zones addressing four compatibility concerns: noise, safety, overflight and airspace protection.
2. Height Review Overlay Zone encompasses locations where the ground elevation exceeds or is within 35 feet beneath the Airspace Protection Surfaces defined by FAR Part 77.
3. Longitudinal dimensions measure from end of primary surface, 200' from ends of runway.

**Auburn Municipal Airport**  
**Land Use Compatibility Plan**  
 (Adopted February 26, 2014)

Map AUB-4A

**Compatibility Policy Map**  
 Auburn Municipal Airport





Intensity Criteria <sup>1</sup>	Compatibility Zones						Intensity Criteria Interpretation
	A	B1	B2	C1	C2	D	
Max. Sitewide Average Intensity (people/acre)	0	40	70	100	200	no limit	› All nonresidential development shall satisfy both sitewide and single-acre Intensity limits
Max. Single-Acre Intensity (people/acre)	0	80	210	300	800	no limit	
Open Land Requirement <sup>2</sup>	all remain'g	30%	no req.	20%	10%	no req.	› See Policy 3.4.10 for application
Land Use Category	Legend (see last page of table for interpretation)			Additional Criteria			
› Multiple land use categories may apply to a project › Land uses not specifically listed shall be evaluated using the criteria for similar uses › Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses <sup>3</sup>	Normally Compatible	Conditional	Incompatible	› Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone › Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone			
<b>General Characteristics</b>							
Any use having more than 1 habitable floor <sup>4</sup>	Incompatible	Conditional	Conditional	Normally Compatible	Normally Compatible	Normally Compatible	B1, B2: Limited to no more than 2 habitable floors C1: Limited to no more than 3 habitable floors
Any use having structures (including poles or antennas) or trees 35 to 150 feet in height	Incompatible	Conditional	Conditional	Normally Compatible	Normally Compatible	Normally Compatible	B1, B2, C1: Ensure airspace obstruction does not occur B1, B2, Height Review Overlay Zone: Airspace review required for objects >35 feet C1: Airspace review required for objects >70 feet
Any use having structures (including poles, antennas, or cranes) or trees more than 150 feet in height	Incompatible	Incompatible	Incompatible	Normally Compatible	Normally Compatible	Normally Compatible	C2, D: Ensure airspace obstruction does not occur; airspace review required for objects >150 feet
Any use having the potential to cause an increase in the attraction of birds or other wildlife	Incompatible	Incompatible	Incompatible	Normally Compatible	Normally Compatible	Normally Compatible	C1, C2, D: Avoid use or provide mitigation consistent with FAA rules and regulations <sup>5</sup>
Any use creating visual or electronic hazards to flight <sup>6</sup>	Incompatible	Incompatible	Incompatible	Incompatible	Incompatible	Incompatible	
<b>Outdoor Uses (no or limited indoor activities)</b>							
Natural Land Areas: woods, brush lands, desert	Conditional	Conditional	Conditional	Normally Compatible	Normally Compatible	Normally Compatible	A: Objects above runway elevation not allowed in OFA <sup>7</sup> A, B1, B2: Vegetation must be clear of airspace surfaces
Water: flood plains, wetlands, lakes, reservoirs, rivers, detention/retention ponds	Conditional	Conditional	Conditional	Normally Compatible	Normally Compatible	Normally Compatible	A: Objects above runway elevation not allowed in OFA <sup>7</sup> All: Avoid new features that attract birds or provide mitigation consistent with FAA regulations <sup>5</sup>
Agriculture (except residences and livestock): field crops, orchards, vineyards, pasture, range land	Conditional	Conditional	Conditional	Normally Compatible	Normally Compatible	Normally Compatible	A: Not allowed in OFA <sup>7</sup> All: Avoid new features that attract birds or provide mitigation consistent with FAA regulations <sup>5</sup>
Livestock Uses: feed lots, stockyards, breeding, fish hatcheries, horse/riding stables, poultry and dairy farms →●	Incompatible	Conditional	Conditional	Normally Compatible	Normally Compatible	Normally Compatible	B1, B2, C1, C2, D: Avoid new features that attract birds or provide mitigation consistent with FAA regulations <sup>5</sup> ; exercise caution with uses involving noise-sensitive animals

Table AUB-4A

## Basic Compatibility Criteria

Auburn Municipal Airport

Intensity Criteria <sup>1</sup>	Compatibility Zones						Intensity Criteria Interpretation
	A	B1	B2	C1	C2	D	
Max. Sitewide Average Intensity (people/acre) Max. Single-Acre Intensity (people/acre)	0 0	40 80	70 210	100 300	200 800	no limit	▶ All nonresidential development shall satisfy both sitewide and single-acre Intensity limits
Open Land Requirement <sup>2</sup>	all remain'g	30%	no req.	20%	10%	no req.	▶ See Policy 3.4.10 for application
Land Use Category	Legend (see last page of table for interpretation)						Additional Criteria
<ul style="list-style-type: none"> <li>▶ Multiple land use categories may apply to a project</li> <li>▶ Land uses not specifically listed shall be evaluated using the criteria for similar uses</li> <li>▶ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses<sup>3</sup></li> </ul>	Normally Compatible	Conditional	Incompatible				<ul style="list-style-type: none"> <li>▶ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone</li> <li>▶ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone</li> </ul>
Outdoor Major Assembly Facilities (capacity ≥1,000 people): spectator-oriented outdoor stadiums, amphitheaters, fairgrounds, race tracks, water parks, zoos →							D: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential
Outdoor Large Assembly Facilities (capacity 300 to 999 people): spectator-oriented outdoor stadiums, amphitheaters →							C2: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Outdoor Group Recreation (limited spectator stands): athletic fields, water recreation facilities (community pools), picnic areas →							C1, C2: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Outdoor Non-Group Recreation (small/low-intensity): golf courses (except clubhouse), tennis courts, shooting ranges →●							B1, B2, C1: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Local Parks: neighborhood parks, playgrounds →							B1, B2: Must have little or no permanent recreational facilities (ball fields, etc.); exercise caution if clear audibility by users is essential
Camping: campgrounds, recreational vehicle/motor home parks →							C1: Ensure intensity criteria met; avoid if disruption by aircraft noise unacceptable
Cemeteries (except chapels)							B1, B2, C1: Ensure intensity criteria met; avoid if disruption by aircraft noise unacceptable
<b>Residential and Lodging Uses</b>							
Single-Family Residential: individual dwellings, townhouses, mobile homes, bed and breakfast inns →							B1, B2: 1 du/10 acres (average density); 4 du/single acre <sup>8</sup> ; CNEL 45 dB max. interior noise level C1: 1 du/2 acres (average density); 4 du/single acre <sup>8</sup> B1, B2, C1: Locate dwelling max. distance from extended runway centerline where feasible
Multi-Family Residential: townhouses, apartments condominiums →							
Long-Term Lodging (>30 nights): extended-stay hotels, dormitories →							
Short-Term Lodging (≤30 nights, except conference/assembly facilities): hotels, motels, other transient lodging [approx. 200 s.f./person]				0.46	0.92		C1, C2: Ensure intensity criteria met

Table AUB-4A, continued



Intensity Criteria <sup>1</sup>	Compatibility Zones						Intensity Criteria Interpretation
	A	B1	B2	C1	C2	D	
Max. Sitewide Average Intensity (people/acre)	0	40	70	100	200	no limit	› All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Max. Single-Acre Intensity (people/acre)	0	80	210	300	800	no limit	
Open Land Requirement <sup>2</sup>	all remain'g	30%	no req.	20%	10%	no req.	› See Policy 3.4.10 for application
Land Use Category	Legend (see last page of table for interpretation)						Additional Criteria
› Multiple land use categories may apply to a project › Land uses not specifically listed shall be evaluated using the criteria for similar uses › Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses <sup>3</sup>	Normally Compatible		Conditional	Incompatible			› Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone › Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Congregate Care: retirement homes, assisted living/residential care facilities, intermediate care facilities →							
<b>Educational and Institutional Uses</b>							
Family day care homes (≤14 children) <sup>a</sup> →							B1, B2: CNEL 45 dB max. interior noise level
Children's Schools: K-12, day care centers (>14 children), libraries →							
Adult Education classroom space: adult schools, colleges, universities [approx. 40 s.f./person]			0.06	0.09	0.18		B2, C1, C2: Ensure intensity criteria met
Indoor Major Assembly Facilities (capacity ≥1,000 people): auditoriums, conference centers, resorts, concert halls, indoor arenas							D: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential
Indoor Large Assembly Facilities (capacity 300 to 999 people): movie theaters, places of worship, cemetery chapels, mortuaries [approx. 15 s.f./person]				0.03	0.07		C1, C2: Ensure intensity criteria met
Indoor Small Assembly Facilities (capacity <300 people): community libraries; art galleries; museums; exhibition space, community/senior centers, emergency/homeless shelters → [approx. 100 s.f./person]			0.16	0.23	0.46		B2, C1, C2: Ensure intensity criteria met; not allowed if intended primarily for use by children; avoid outdoor spaces intended for noise-sensitive activities Emergency Shelters only allowed in D.
Indoor Recreation: gymnasiums, club houses, athletic clubs, dance studios, sports complexes (indoor soccer), health clubs, spas [approx. 60 s.f./person]			0.10	0.14	0.28		B2, C1, C2: Ensure intensity criteria met; not allowed if intended primarily for use by children
In-Patient Medical: hospitals, mental hospitals, nursing homes →							C1, C2: See Policy 4.2.1 for special criteria related to Sutter Auburn Faith Hospital
Out-Patient Medical: health care centers, clinics [approx. 240 s.f./person]			0.39	0.55	1.10		B2, C1, C2: Ensure intensity criteria met B2: CNEL 45 dB max. interior noise level
Penal Institutions: prisons, reformatories							
Public Safety Facilities: police, fire stations							B2: Allowed only if airport serving C1, C2: Allowed only if site outside zone would not serve intended function; ensure intensity criteria met

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Table AUB-4A, continued

Intensity Criteria <sup>1</sup>	Compatibility Zones						Intensity Criteria Interpretation
	A	B1	B2	C1	C2	D	
Max. Sitewide Average Intensity (people/acre) Max. Single-Acre Intensity (people/acre)	0 0	40 80	70 210	100 300	200 800	no limit	▶ All nonresidential development shall satisfy both sitewide and single-acre Intensity limits
Open Land Requirement <sup>2</sup>	all remain'g	30%	no req.	20%	10%	no req.	▶ See Policy 3.4.10 for application
Land Use Category	Legend (see last page of table for interpretation)			Additional Criteria			
<ul style="list-style-type: none"> <li>▶ Multiple land use categories may apply to a project</li> <li>▶ Land uses not specifically listed shall be evaluated using the criteria for similar uses</li> <li>▶ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses<sup>3</sup></li> </ul>	Normally Compatible	Conditional	Incompatible	<ul style="list-style-type: none"> <li>▶ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone</li> <li>▶ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone</li> </ul>			
<b>Commercial, Office, and Service Uses</b>							
Major Retail (capacity >300 people per building): regional shopping centers, 'big box' retail, supermarket [approx. 110 s.f./person]				0.23	0.46		C1, C2: Ensure intensity criteria met
Local Retail (≤300 people per building): community/neighborhood shopping centers, grocery stores [approx. 170 s.f./person]			0.27	0.39			B2, C1: Ensure intensity criteria met
Eating/Drinking Establishments: restaurants, bars, fast-food dining [approx. 60 s.f./person]		0.06	0.10	0.14	0.28		B1, B2, C1, C2: Ensure intensity criteria met B1: Locate structure max. distance from extended runway centerline where feasible
Limited Retail/Wholesale: furniture, automobiles, heavy equipment, building materials, hardware, lumber yards, nurseries[ap]		0.23	0.40	0.57	1.15		B1, B2, C1, C2: Ensure intensity criteria met B1: Locate structure max. distance from extended runway centerline where feasible
Offices: professional services, doctors, finance, banks, civic; radio, television and recording studios, office space associated with other listed uses [approx. 215 s.f./person]		0.20	0.35	0.49	0.99		B1, B2, C1: Ensure intensity criteria met B1: Locate structure max. distance from extended runway centerline where feasible
Personal and Miscellaneous Services: barbers, car washes, print shops [approx. 200 s.f./person]		0.18	0.32	0.46	0.92		B1, B2, C1, C2: Ensure intensity criteria met
Fueling Facilities: gas stations, trucking and other transportation fueling facilities							B1, B2, C1: Ensure intensity criteria met B1, B2: Store fuel underground or in above-ground storage tanks with combined max. capacity of 6,000 gallons B1: Locate structure max. distance from extended runway centerline where feasible
<b>Industrial, Manufacturing, and Storage Uses</b>							
Hazardous Materials Production and Storage (flammable, explosive, corrosive, or toxic): oil refineries, chemical plants ●							D: Allowed only if alternative site outside zone would not serve intended function; generation of steam or thermal plumes not allowed
Heavy Industrial ●							C2, D: Bulk storage of hazardous materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft; generation of steam or thermal plumes not allowed

Table AUB-4A, continued



Intensity Criteria <sup>1</sup>	Compatibility Zones						Intensity Criteria Interpretation
	A	B1	B2	C1	C2	D	
<b>Max. Sitewide Average Intensity (people/acre)</b>	0	40	70	100	200	no	› All nonresidential development shall satisfy both sitewide and single-acre intensity limits
<b>Max. Single-Acre Intensity (people/acre)</b>	0	80	210	300	800	limit	
<b>Open Land Requirement <sup>2</sup></b>	all remain'g	30%	no req.	20%	10%	no req.	› See <i>Policy 3.4.10</i> for application
Land Use Category	Legend (see last page of table for interpretation)						Additional Criteria
› Multiple land use categories may apply to a project › Land uses not specifically listed shall be evaluated using the criteria for similar uses › Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses <sup>3</sup>	Normally Compatible	Conditional		Incompatible			› Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone › Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Light Industrial, High Intensity: food products preparation, electronic equipment, bottling plant [approx. 200 s.f./person]			0.32	0.46	0.92		B2, C1, C2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Light Industrial, Low Intensity: machine shops, wood products, auto repair [approx. 350 s.f./person]		0.32	0.56	0.80			B1, B2, C1: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Research and Development Laboratories [approx. 300 s.f./person]		0.28	0.48	0.69	1.38		B1, B2, C1, C2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft B1: Locate structure max. distance from extended runway centerline where feasible
Indoor Storage: wholesale sales, distribution centers, warehouses, mini/other indoor storage, barns, greenhouses [approx. 1,000 s.f./person]		0.92	1.61				B1, B2: Ensure intensity criteria are met; ensure airspace obstruction does not occur
Outdoor Storage: public works yards, automobile dismantling							B1: Ensure intensity criteria are met; ensure airspace obstruction does not occur
Mining and Extraction							B1, B2, C1, C2: Generation of dust clouds, smoke, steam plumes not allowed; ensure airspace obstruction does not occur
<b>Transportation, Communication, and Utilities</b>							
Airport Terminals: airline, general aviation							
Transportation Stations: Rail/bus stations; taxi, trucking and other transportation terminals							B1, B2, C1: Ensure intensity criteria met; ensure airspace obstruction does not occur
Transportation Routes: road and rail transit lines, rights-of-way, bus stops							B1: Avoid road intersections if traffic congestion occurs; ensure airspace obstruction does not occur

Table AUB-4A, continued

Intensity Criteria <sup>1</sup>	Compatibility Zones						Intensity Criteria Interpretation
	A	B1	B2	C1	C2	D	
<b>Max. Sitewide Average Intensity (people/acre)</b> <b>Max. Single-Acre Intensity (people/acre)</b>	0	40	70	100	200	no limit	› All nonresidential development shall satisfy both sitewide and single-acre intensity limits
<b>Open Land Requirement <sup>2</sup></b>	all remain'g	30%	no req.	20%	10%	no req.	› See <i>Policy 3.4.10</i> for application
Land Use Category	Legend (see last page of table for interpretation)						Additional Criteria
› Multiple land use categories may apply to a project › Land uses not specifically listed shall be evaluated using the criteria for similar uses › Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses <sup>3</sup>	Normally Compatible	Conditional	Incompatible				› Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone › Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Auto Parking: surface lots, structures							B1: Ensure airspace obstruction does not occur
Communications Facilities: broadcast and cell towers, emergency communications ●							C1, C2: Allowed only if site outside zone would not serve intended public function; locate structures max. distance from extended runway centerline; ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Power Plants: primary, peaker, renewable energy, bio-energy ●							C1, C2: Peaker and renewable energy plants allowed if structures located max. distance from extended runway centerline D: Primary plants allowed only if site outside zone would not serve intended public function; locate structures max. distance from extended runway centerline All: Ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Electrical Substations ●							C1, C2: Locate structure max. distance from extended runway centerline; ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Wastewater Facilities: treatment, disposal ●							C1, C2: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations <sup>5</sup>
Solid Waste Disposal Facilities: landfill, incineration ●							D: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations <sup>5</sup>
Solid Waste Transfer Facilities, Recycle Centers ●							D: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations <sup>5</sup>

Table AUB-4A, continued






	Land Use Acceptability	Interpretation/Comments
	<i>Normally Compatible</i>	Normal examples of the use are compatible with noise, safety, and airspace protection criteria. Atypical examples may require review to ensure compliance with usage intensity, lot coverage, and height limit criteria.
	<i>Conditional</i>	Use is compatible if indicated usage intensity, lot coverage, and other listed conditions are met. For the purposes of these criteria, "avoid" is intended as cautionary guidance, not a prohibition of the use.
	<i>Generally Incompatible</i>	Use should not be permitted under any circumstances.
<b>Notes</b>		
<p>→ Indicates land use that is or may be highly noise sensitive. Exercise caution with regard to approval of outdoor uses—evaluate potential for aircraft noise to disrupt the activity. Indoor uses may require addition of sound attenuation to structure. See Section 3.1 for criteria.</p> <p>● Indicates land use that may attract birds, generate dust, produce smoke or steam plumes, create electronic interference, or otherwise pose hazards to flight. See <i>Policy 3.5.3(a)</i> for criteria.</p> <p><sup>1</sup> Intensity criteria apply to all nonresidential uses including ones shown as "Normally Compatible" (green) and "Conditional" (yellow). Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at any single point in time, whether indoors or outdoors (see <i>Policy 3.4.2(e)</i>). Exceptions can be made for rare special events (e.g., an air show at the airport, street fair) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate (see <i>Policy 3.2.5</i>). The usage intensities shall be calculated in accordance with the methodologies cited in <i>Policy 3.4.3</i> and <i>3.4.4</i>.</p> <p><sup>2</sup> Open land requirements are intended to be applied with respect to an entire zone (see <i>Policy 3.4.10</i>). This is typically accomplished as part of a local general plan or specific plan, but may also apply to large (10 acres or more) development projects.</p> <p><sup>3</sup> Occupancy Load Factors [approx. number of square feet per person] cited for many listed land use categories are based on information from various sources and are intended to represent "typical busy-period" usage (or "peak" usage) for typical examples of the land use category. These Occupancy Load Factors differ from those provided in the California Building Code (CBC), as the CBC considers the absolute maximum number of people that can be safely accommodated in a building. See <i>Policy 3.4.3(a)(2)</i>.</p> <p><sup>4</sup> The intent of this criterion is to facilitate evacuation of a building if it were to be hit by an aircraft. It is separate from the height limits set for airspace protection purposes.</p> <p><sup>5</sup> No proposed use shall be allowed that would create an increased attraction for wildlife and that is inconsistent with FAA rules and regulations including, but not limited to, FAA Advisory Circular 150/5200-33B, <i>Hazardous Wildlife Attractants On or Near Airports</i> and Advisory Circular 150/5200-34A, <i>Construction or Establishment of Landfills near Public Airports</i>. Of particular concern are landfills and certain recreational or agricultural uses that attract large flocks of birds which pose bird strike hazards to aircraft in flight. See <i>Policy 3.5.3(a)(6)</i>.</p> <p><sup>6</sup> Specific characteristics to be avoided include: sources of glare (such as from mirrored or other highly reflective structures or building features) or bright lights (including search lights and laser light displays); distracting lights that could be mistaken for airport lights; sources of dust, steam, or smoke that may impair pilots' vision; sources of steam or other emissions that cause thermal plumes or other forms of unstable air; and sources of electrical interference with aircraft communications or navigation. See <i>Policy 3.5.3(a)</i>.</p> <p><sup>7</sup> Object Free Area (OFA): Dimensions are established by FAA airport design standards for the runway. See <i>Airport</i> maps in Chapters 7 through 9.</p> <p><sup>8</sup> Clustering of residential development is permitted. However, no single acre of a project site shall exceed the indicated number of dwelling units per acre. See <i>Policy 3.4.10(d)</i>.</p> <p><sup>9</sup> Family day care home means a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day. Small family day care homes provide care for eight or fewer children and large family day care homes provide care for 7 to 14 children (Health and Safety Code Section 1596.78).</p>		

Table AUB-4A, continued

## **Item 8.5 Cover sheet – Review of Donation Policy**

**Auburn Area Recreation and Park District May 2017 Policy committee; Board of Directors meeting May, 2017**

### **The Issue**

Shall the Auburn Area Recreation and Park District (ARD) make amendments to the policy on donations from ARD to outside organizations?

### **Background**

In January, 2011, the ARD Board of Directors approved a policy on donations. A discussion at the April, 2017 Policy Committee meeting led to a request to review ARD's policy. The following is ARD's existing policy on donations:

#### **XIV. Fundraising and Donations**

##### **C. Policy on Charitable Donations from ARD to Outside Organizations**

ARD may, from time to time, consider making donations to charitable entities or outside agencies. These donations must fall within ARD's specifically enumerated powers (Parks and Recreation) and must meet one of the following three criteria:

1. The charity/agency must provide a service that complements or enhances services provided by ARD.
2. There is an identifiable secondary benefit to ARD.
3. The charity/agency provides a service that ARD could provide but chooses not to.

Should a donation request meet one of the criteria listed above, staff will forward the request to the ARD Policy Committee for consideration and recommendation. If the Policy Committee recommends approval of the donation request, it will be sent to the ARD Board of Directors for approval as a consent calendar item.

The California Institute for Local Government (ILG) ([www.ca-ilg.org](http://www.ca-ilg.org)) provides resources and information regarding the issue of "gifts" of public resources. Excerpts from two similar ILG documents are attached. The essential points from these documents are:

- Special Districts have to show that an expenditure falls within the specifically enumerated powers of the District.
- Special Districts must demonstrate that the contribution benefits the District

### **Recommendation for the Board of Directors**

The Policy Committee had a split recommendation.

Director Holbrook recommends amending the policy to read as follows:

*The last sentence of the policy will be deleted in its entirety and replaced with the following:*

Should a donation request of \$500 or less meet one of the criteria listed above, staff will have discretion to approve the request. Donation requests exceeding \$500 will be sent to the ARD Policy Committee for consideration and recommendation. All recommended donation requests will be sent to the ARD Board of Directors for approval as a consent calendar item.

Director Lynch does not recommend any changes to the policy.

**Fiscal Impact**

There is no fiscal impact from reviewing this policy.

**Attachments**

- Chapter 4: “When it is not better to give” from the Institute for Local Government publication “A Public Official’s Guide to Use of Public Resources”.
- Institute for Local Government article “Using Public Resources for Charitable Purposes” (excerpts)

# CHAPTER 4: WHEN IT IS NOT BETTER TO GIVE...

These kinds of situations illustrate how the norms in the public sector can differ significantly from the private sector. It is common for business people to extend hospitality and make gifts and charitable contributions to generate goodwill for the company.

However, California's constitution specifically prohibits "gifts" of public resources.<sup>43</sup> This prohibition applies to an agency making gifts to its officials and employees.<sup>44</sup> It also applies to gifts from either an agency or its officials to private citizens (for example, hosting meals).

Because this ban is in the constitution, it applies to all public agencies. The only possible exception is charter cities. Charter cities look to their charters for limits on their ability to do something. Therefore, charter city officials must consult their charters to see if they contain parallel gift restrictions.

How do you know if a gift is prohibited? The test is whether there is a valid public purpose justifying the expenditure.<sup>45</sup> This is another instance in which an expense policy can provide some affirmative guidance for local officials.<sup>46</sup> Such a policy can also protect officials from having a decision being second-guessed in court.

<sup>43</sup> See Cal. Const. art. XVI, § 6 ("nor shall it [the Legislature] have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individuals, municipal or other corporation whatever;..."). See also *Albright v. City of South San Francisco*, 44 Cal. App. 3d 866, 870, 118 Cal. Rptr. 901, 902 (1975) (making the connection between council member expenses and the prohibitions against a gift of public funds). Although the prohibition is directed to the Legislature, the courts' theory is that, since general law cities, counties and special districts derive much of their authority from the Legislature, such local agencies also do not have the power to make gifts of public funds.

<sup>44</sup> There is an additional prohibition against granting extra compensation for work already performed by public officers, public employers or contractors. See Cal. Const. art. IV, § 17; art. XI, § 10.

<sup>45</sup> *City and County of San Francisco v. Patterson*, 202 Cal. App. 3d 95, 103-04, 248 Cal. Rptr. 290, 295 (1988). See also *McQuillin, Municipal Corporations*, § 39.19 (3d ed.) (all expenditures must be for a public purpose).

<sup>46</sup> See *Roseville v. Tulley*, 55 Cal. App. 2d 601, 608-09, 131 P. 2d 395, 400 (1942) (finding that judicial second-guessing of a city's determination of what constitutes a public purpose would be an unwarranted intrusion into the legislative function of a city council).

## IN THIS CHAPTER

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## SPOUSE TRAVEL

In the private sector, company officials often travel with their spouses on business trips at company expense. Not so in the public sector. The Attorney General has concluded that this would constitute a gift of public funds because there is no direct and substantial public purpose in paying for the expenses of a public official's spouse.<sup>47</sup> The specific question related to whether it would be proper for a hospital district to pay for a district director's spouse to attend a conference on official business. The Attorney General said no.

This, of course, does not mean that your spouse cannot accompany you to official functions. It just means that this becomes a personal expense.

## CHARITABLE DONATIONS

The California Constitution's prohibition against gifts of public funds has implications for charitable giving by public agencies.<sup>48</sup> As Scrooge-like as it seems, a public official should not assume it is appropriate for public agencies to make gifts to charitable organizations.

Here are some circumstances under which a public agency may contribute to a charity:

1. When the charity provides a service that complements or enhances one the public agency provides itself;
2. When there is an identifiable secondary benefit to the public agency; or
3. When the charity provides a service the public agency could provide but chooses not to.

<sup>47</sup> 75 Cal. Op. Att'y Gen. 20 (1992) (finding paying a spouse's expenses to a conference violates both Government Code section 1090 and constitutional prohibitions against gifts of public funds). See also 65 Cal. Op. Att'y Gen. 517, 521 (1982) (finding Government Code section 36514.5 does not authorize reimbursement of the expenses of any person other than a member of the city council). See also *Albright v. City of South San Francisco*, 44 Cal. App. 3d 866, 869-870, 118 Cal. Rptr. 901 (1975). (unauthorized reimbursement is illegal gift).

<sup>48</sup> See generally McQuillin, *Municipal Corporations*, § 39. 25 (3d ed.) ("Appropriations to charitable or nonprofit associations, without consideration [something in return], cannot be made.")

In all instances, the governing body should make findings in the minutes about the benefits to the agency associated with providing resources to the charity. As always, concluding that an expenditure may be legal is just the first step of the analysis; just because something is "legal" does not mean that it is the best use of resources in light of all competing demands on the agency's treasury.

<b>EXAMPLES OF WAYS TO DOCUMENT BENEFITS ASSOCIATED WITH CHARITABLE SUPPORT</b>		
<b>RELATIONSHIP TO PUBLIC AGENCY PROGRAMS</b>	<b>EXAMPLE</b>	<b>NATURE OF BENEFIT(S)</b>
1. Complementary service	Donation to Tree Foundation in return for agreement to replace street trees agency removes because of disease or old age	Foundation has specialized knowledge about trees suitable for area.  Organization shares goal of populating area with more trees, thereby saving energy and enhancing property values for residents  Other grants received by the Tree Foundation mean the agency and those it serves save money on replacement of trees.
2. Demonstrable benefit	Boys and Girls Club's after school programs	Such programs reduce the need for law enforcement activities in area. Programs promote public safety and law abiding youth in a positive, cost effective manner.
3. Service agency could provide but does not	Homeless shelter and associated placement programs	Such programs help end cycle of homelessness. Reducing homelessness is one of the agency's housing element goals.

*California's  
constitution  
specifically  
prohibits gifts  
of public  
resources.*

Special districts have an additional burden when it comes to charitable contributions. Not only must they demonstrate the contribution benefits the district, but they must also demonstrate that the expenditure falls within the specifically enumerated powers of that particular type of district.

Making donations to charitable causes that are far away from the jurisdiction (for example, the victims of a hurricane) also present special challenges. Because of the distance, it is much tougher to justify the contribution as creating benefits to the jurisdiction's residents. Because of this, such donations are more vulnerable to legal challenge.<sup>49</sup>

Also risky is the practice that may exist in some jurisdictions where individual office holders can direct that a certain amount be given to a particular charity (possibly as part of an annual officeholder expense budget). Any decision to give public money to private charities should be made by an agency governing body, so the requisite findings on the benefit to the agency and the community it serves can be made.

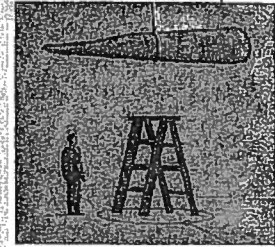
One public agency's practices in this regard came under scrutiny, even though the agency put safeguards in place to make sure the funds were appropriately spent. The president of the local taxpayers' association suggested that using such monies for charitable contributions involves "a thin line" and is "almost like they're buying votes."<sup>50</sup> Although the newspaper noted that the funds could not be used for campaign purposes, the newspaper observed that such funds were used to boost officeholders' public profiles.

<sup>49</sup> See 64 Cal. Op. Att'y Gen. 478 (1981) (noting that grants to other agencies must serve the interests or purposes of the residents of the granting agency).

<sup>50</sup> "Here's \$50,000 – Spend it Well," *Sacramento Bee*, November 23, 2003, page B1, B6.

## AVOIDING THE SELF-DECEPTION TRAP: QUESTIONS TO ASK

- Does the law allow me to use public resources in this manner?
- How does this particular expenditure benefit the public's interest as opposed to my own personal interests?
- Is my motivation for an expense a desire to personally curry favor with the would-be beneficiary of an expense?





### **On Public Agency Charitable Giving**

Why is the practice described in this article legally questionable? California's Constitution prohibits gifts of public funds;<sup>18</sup> because charitable contributions are gifts, this prohibition has implications for charitable giving by public agencies.<sup>19</sup> The presumption underlying the constitutional prohibition is that taxpayer funds should be used for public services, programs and facilities; any purely philanthropic activities should be left to the discretion of the individual taxpayer.

Consequently, the test for any use of public resources is whether a valid public purpose is served.<sup>20</sup> The challenge with having individual officeholders make this decision is that there is no collective finding by the decision-making body regarding the public purpose served by an individual expenditure. Although the courts give deference to a legislative body's findings concerning public purpose,<sup>21</sup> they can't defer to findings that don't exist (which is what happens if the decision is made solely by an individual council member).

For example, the state auditor recently criticized a water district for providing support to a variety of nonprofit organizations, noting both the constitutional prohibition against gifts of public funds and the obligation that special districts have to show that an expenditure falls within the specifically enumerated powers of the district.<sup>22</sup> The state auditor also faulted the district for not having policies that define the types of public and private agencies whose support furthers the interests of the district.<sup>23</sup>

Although a number of local agency attorneys expressed discomfort with this practice of leaving decisions concerning public agency support for charities to individual officeholders, there may be ways to structure such a program so it conforms better to legal requirements.

Even so, the governing body should still have a policy discussion about whether this is the best system for making decisions about the use of scarce public resources. For example, another public agency's practices in this regard came under scrutiny even though the agency reportedly put safeguards in place to make sure the funds were appropriately spent. The president of the local taxpayers' association suggested that using such monies for charitable contributions involves "a thin line," observing that the practice is "almost like they're buying votes."<sup>24</sup> The local newspaper also noted that such funds were used to boost officeholders' public profiles.

Recent research<sup>25</sup> suggests that the public's perception that government misuses public resources is one of the reasons that the public is reluctant to give government greater authority to solve pressing problems. Although these accounts may have personal and political advantages for local officials, those advantages may come at significant cost in terms of whether the public perceives that their taxpayer dollars are being used only for critical public services. In short, decision-makers need to ask themselves the usual question: Even if this program could be structured in a way to be legal, does that mean that the practice is ethical - or that the public will perceive it to be so?

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This piece originally ran in *Western City Magazine* and is a service of the Institute for Local Government (ILG) Ethics Project, which offers resources on public service ethics for local officials. For more information, visit [www.ca-ilg.org/trust](http://www.ca-ilg.org/trust).

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**SECTION**

**9.0 ITEMS FOR DISCUSSION AND  
INFORMATIONAL ITEMS**

**DESCRIPTION:**

1. Informational Item: 2017 Holiday Schedule – (Program, Personnel, Policy, Fee & Legal Review Committee).
2. County Mitigation Fund, current balance \$276,624.

## Item 9.1 Informational Item: 2017 Holiday Schedule

Auburn Area Recreation and Park District Policy Committee May 2017; Board of Director's meeting

### The Issue

A review of the 2017 Christmas Eve and Christmas Day holiday schedule for ARD staff.

### Background

ARD Personnel Policy states the following in regards to holidays

#### 5.4 Holidays

- A. All full-time employees of the District shall be entitled to the following twelve holidays per year with pay:

....

Christmas Eve

Christmas Day

When a holiday falls on a Sunday, the District will observe the holiday on Monday. When the holiday falls on a Saturday, the District shall observe the holiday on Friday.

The 2017 December calendar has an anomaly and lays out as follows:

### Calendar for December 2017 (United States)

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Phases of the Moon: 3 ☉ 10 ☉ 18 ● 28 ☾

Holidays and Observances: 24 Christmas Eve, 25 Christmas Day, 31 New Year's Eve

The Recreation Department is currently scheduling fall and winter activities and has asked for clarification on the dates. Staff will take Monday, December 25 and Tuesday, December 26<sup>th</sup> as the holiday.

**SECTION 11.0**

**ITEM: CORRESPONDENCE/COMMUNICATIONS AND INFORMATIONAL**

1. Thank you letter to the Auburn Recreation District Board Members from Sarah Tucker regarding Placer High Grad Night.
2. Thank you letter from Placer Sportsmen regarding the Fishing Derby.

# PLACER HIGH SCHOOL

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## Grad Night Alive Celebration

April 21, 2017

Dear ARD Board Members,

On behalf of the Grad Night Parent Committee and the Senior Class of 2017, we would like to express our appreciation for your support to provide a safe, fun-filled evening for our Graduates. Your vote to keep our fees down will help make this event a huge success and allow us to continue this long-standing celebration.

We want to thank you for making Grad Night Alive a memorable event!

Sincerely,

Placer High Grad Night Committee Members

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**Your donation is tax deductible. Our Tax ID number is 20-4476276**

**PHS Grad Night Alive · 275 Orange St · Auburn · CA · 95603**

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PLACER  
SPORTSMEN  
INC.  
P.O. Box 4862



AUBURN  
CALIFORNIA

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95604

May 10, 2017

123 Recreation Dr  
Auburn, CA 95603

ARD, Kail, Bryan, Herald, and people who worked,

On behalf of the Placer Sportsmen, I would like to thank you for donating your facilities for this years 70th Annual Kids Fishing Derby. Your donation helps us continue in our mission and to assist those in our community.

The generous support of individuals like you makes it possible for our organization to exist and make the community a great place to live.

Thank you again for your support!

Sincerely,

Elysia Anaya: Secretary of the Placer Sportsmen